

16-MAY-2008 19:49

RECEIVED
CENTRAL FAX CENTER

P. 01

MAY 16 2008

Fax Message

To: (Examiner) **Jamila O. Williams** (571-273 8300)

From: **Laaong Silaprom** Silaprom555@yahoo.co.uk

Re: **10/555,615**

No. of Pages
Including this one: (6)

Date: May 16th 2008

RECEIVED
CENTRAL FAX CENTER

Application No. 10/555,615

MAY 16 2008

Page 1

The Commissioner for Patents
United States Patent and Trade Mark Office
Commissioner for Patents
PO Box 1450
Alexandria
Virginia 22313-1450

16th May 2008

Application No: 10/555,615	Confirmation No. 9485
Applicant: Laaong SILAPROM	
Filed: 05-09-2006	
G.A.U.: 3722	
Examiner Name: Jamila O. WILLIAMS	
Class/Subclass: 283/061	

Dear Sirs

I recently employed the services of a patent attorney, Ruden, McClosky, Smith, Schuster & Russel P.A. to complete my application 10/555,615, I had previously prosecuted the application myself and had made many errors.

Mr. David Johnson at Ruden, McClosky, Smith, Schuster & Russel P.A. advised me to file a continuation-in-part which he should have just done on my behalf, unfortunately there are things in the specification written by him that are not in line with my own description of my invention and method.

Mr. Johnson has written in the specification "The card is provided free or at a reduced cost by the retailer or manufacturer as an advertising and marketing tool in that the reply postcard may be returned by the recipient to the retailer or manufacturer"

The above paragraph seems to obscure my original idea somewhat, the method of providing my invention free or at reduced cost is something that I have never communicated to Mr. Johnson, he has thought this up himself, I have never at any time said to him that my invention would be provided free.

It is not primarily a means of advertising or marketing anything, it is a means of purchasing and sending a greeting card with added interest and appeal, you will notice from my original drawings, my card depicts the manufacturer's name "Silaprom Cards" on the rear of the card. My original drawings also show a return address for Silaprom Cards. The Card represented in my drawings does not advertise anything, it is a greeting card conveying a greeting "Happy Birthday", the reply post card features a form with headings, name, address, postcode, the collecting of this information is not primarily for marketing purposes, it is so that the details of the recipient can be included into a draw or promotion.

Application No. 10/555,615

Page 2

My invention would be sold in greeting card stores and other stores like any ordinary greetings cards, it is a method of providing a greeting in the form of the greeting card portion and providing the recipient with the means to send his or her details back to the greeting card company or card promoter via the form on the reply postcard portion.

Greeting cards sell in huge numbers in many nations, the greeting card industry is a thriving business that provides employment to many people, unfortunately greeting card sales have suffered from stagnation over recent years, it is thought that this stagnation is due to the many new and modern ways that people can communicate with each other, for example, electronic mail, electronic greetings, mobile phone text messaging, home made greetings cards produced using a home personal computer and software, etc. these new methods of communicating have eaten into greeting card sales and caused widely reported sales stagnation within the industry.

My invention of 10/555,615 is a combined greeting card and reply postcard featuring a form to be filled out by the recipient so that the recipient may send his or her details back to the card manufacturer or promoter to be entered into any sort of promotion, which may include a prize draw or something of this nature. Some greeting card manufacturers make many millions of dollars in profit annually, it would be well within the capability for large greeting card manufacturers to provide a range of prizes to recipients as a way of stimulating greeting card sales or for prizes to be made available by a third party.

For example, a greeting card manufacturer could provide a range of greeting cards connected to promotional contests of some sort. The recipients would send in their details on the form provided on the reply postcard, all the details received by the greeting card manufacturer or greeting card promoter would be entered into a draw.

An important point of my invention is that it could be used to revive and stimulate flagging greeting card sales, this was my original idea and so for my patent attorney to have described the card being provided free is completely not in line with my own thoughts, nor did I ever communicate this to him.

My invention would be sold in greeting card stores and other stores like any other greeting cards.

Of course my invention can be utilised by any corporate body, lets say a motor dealership wanted to send its customer's Christmas cards and also invite them to enter a prize draw to win a new car or other prize, the invention is suited to this method.

Another example, lets say a greeting card manufacturer made a range of cards to be given to new drivers who have just passed their driving test, The front cover of the greeting card would have artwork on and might have the text, "Congratulations on passing your driving test" the reply postcard may be used to send in the recipient's contact information to the greeting card manufacturer to be entered into a draw to win a new car.

Another example, lets say a famous sports team wanted to sell a range of greeting cards and offer the recipients the chance to win a season ticket or the chance to come to their sports ground and meet their favourite players and have their photo taken with the players. The cards would probably be printed in team colours and may include pictures of their team members on the front, the cards would probably be manufactured by a greeting card manufacturer and would then be placed on sale in greeting card stores and other stores including the team's own stadium store.

Application No. 10/555,615

Page 3

People would buy the cards for sons, fathers, husbands or anybody who was a fan of the particular sports team, the reply postcard would be used to send in the recipient's details to enter into the draw, the prize could be a season ticket to watch the team's matches or games or could be an invitation to come to the sports ground and meet the players. In this case the greetings cards would be a joint project between the sports team and a greeting card manufacturer and it would be a sales and revenue generating venture, both the greeting card manufacturer and the sports team would be selling the greeting cards as a revenue generating exercise. **(THIS IS NOT ANY SORT OF FREE PROMOTIONAL GIVE AWAY CARD)**, the cards may express sentiment for any number of given occasions and the cards will provide the recipient with the means to enter his details into a promotion, **THE CARDS WILL BE SOLD LIKE ANY NORMAL GREETING CARDS ARE**

My invention would be sold in greeting card stores and any other stores, I cannot understand why my attorney described it as being provided free or at a reduced cost.

My invention is highly suitable for joint ventures between greeting card manufacturers and any organisation that has an image to project and things suitable to give away in promotions, as described above with the sports team example but it is perfectly suitable for greeting card manufacturers to make many of their existing greeting card designs in the format of my invention wherein the greetings card would not be advertising anything, the details collected on the reply postcard forms are not also primarily for marketing purposes although it goes without saying that they could be utilised for this but in many cases these details collected on the reply postcard forms would simply be entered into a draw and need not be used for any sort of marketing purposes.

My invention is primarily to provide the means to link greeting cards with promotions to stimulate and increase greeting card sales, it will make receiving a greeting card more exciting because there is anticipation that a prize might be won, it extends the excitement of receiving a greeting card and also provides an extra reason for a sender to buy and send a greeting card. The sender not only sends his loved one a greeting card to celebrate a given occasion but also gives his loved one the chance to enter a promotion and possibly win a season ticket, a chance to meet your sporting heroes, a movie ticket, a car, a holiday, or anything else that may be given as a prize in a promotion.

The reply postcards would simply be put into a draw by the greeting card manufacturer or greeting card promoter and winners would be picked out at random, for example, by putting all the reply postcards received into a big revolving barrel and picking winners out at random.

The selling of the combined greeting card and reply postcard is not primarily a way of advertising anything, it is a way of sending a greeting like any other greeting card, the collecting of the contact information is not primarily a way of collecting information for marketing purposes, it is so a winner or winners can be picked out and a prize or prizes can be sent to the winner or winners. That the invention could be utilised as a means of marketing and advertising is an obvious alternative method for the apparatus of my invention but greeting cards are not primarily for these purposes.

Application No. 10/555,615

Page 4

The above examples of course does not limit the uses to projecting an image for a corporate body, for example, you will see from the drawings included with my application that the artwork on the front of the card is simply artwork of a generic nature, the idea of using the invention as a means of advertising a product is one use, but in any normal manner you do not send a greeting card to a loved one or friend to advertise something, my invention is not particularly or primarily a means of advertising something, it is a way of providing greeting cards with a reply postcard form to be filled out by the recipient so that the recipient may send their contact information to be entered into a promotional contest of some sort. Of course if the front cover depicted a brand name or product then it could be considered as providing a form of advertising but my invention conveys greetings like any ordinary greeting cards.

It has been designed to be sold like any other greeting cards, It has been designed to revive and stimulate flagging greeting card sales, so for my attorney to go on and describe it as being free or subsidised is absolute nonsense. The cards would be made with various kinds of artwork like any other greeting cards, the cards would be on sale in greeting card stores and other stores.

Of course the invention could be used in marketing methods but even still the card would be sold, let me give another example, take the greeting card mentioned above that is produced to celebrate someone passing their driving test. A card like this may be produced in joint venture with a greeting card manufacturer and a auto manufacturer, for example, the greeting card manufacturer could produce the cards and distribute the cards to greeting card stores and other stores, the artwork on the front of the card could depict a model of car manufactured by the auto manufacturer, with the text "Congratulations on passing your driving test", the auto manufacturer could provide the car or cars that would be given out as prizes, the auto manufacturer gains exposure by the greeting card depicting one of its models and the greeting card manufacturer gains sales by producing cards that have added interest and cannot be simulated by homemade greeting cards and other methods of communication.

The greeting card company might also make the recipients contact details available to the auto manufacturer, this way the auto manufacturer would have a list of new drivers that they could make available to their local dealerships for marketing purposes, but even in this example, there is no reason why the greeting card would be made available for free or at reduced cost, even where the artwork on the front of the greeting card could be thought of as advertising a product or brand, there is absolutely no reason why the greeting card would be made available for free or at a reduced cost, we all as consumers buy a range of products everyday with their brand names emblazoned on the products, the manufacturers do not give away their products for free just because they have their name on and because the products could also be deemed as a method of advertising, in fact brand names on products usually increase the value of the goods rather than reduce it. if you go out and buy a new pair of sneakers with the manufacturer's name emblazoned on them, the manufacturer does not give the sneakers away free because he is gaining exposure for his brand, he sells the goods to you, the same would be the case for my invention, it is a **saleable item**.

At no point did I describe to my attorney that my invention would be given away free or at a reduced cost, this is completely at odds with my own thoughts and idea, I particularly invented my invention as a method of reviving and stimulating greeting card sales so I would certainly not go on to describe it as being given away for free or at a reduced cost. It will generate sales of greetings cards.

Application No. 10/555,615

Page 5

The specification forwarded to you by Ruden, McClosky, Smith, Schuster & Russel P.A. needs to be changed and rectified before it is examined so that it does not obscure my own idea of method. I also made it clear to my attorney that I have no intention as yet of abandoning my original application 10/555,615, this application I intend to keep pending for the time being until I have sought further advice.

I will make the necessary changes to the specification to correct the issues mentioned above. and forward them to you later today or tomorrow.

My invention is a saleable greeting card to be sold in greeting card stores and other stores, even though my invention might be utilised in marketing methods, this does not reduce its saleability or restrict it to this use and as mentioned above it would be manufactured in most cases with regular greeting card artwork on its front cover like any ordinary greeting cards, and in this guise it would not be a form of advertising or marketing, it would simply be a greeting card conveying a greeting and giving the recipient the opportunity to send their contact information to a card promoter to be entered into a promotional contest of some sort.

The method is not to give away cards for free or at reduced cost, the method is to sell greeting cards. The method is to produce ranges of greeting cards with added appeal and interest as a way of bolstering the sales of the greeting card industry which provides very many people with employment in the United States and other countries .

The greeting card industry needs to evolve like any other industry to keep the attention and interest of consumers.

The method is to revive greeting card sales that have been lost to other forms of communication, my invention is not a free card to be given away or sold at reduced cost, my invention will be sold in greeting card stores and other stores the same way that any ordinary greeting cards are.

My invention provides a method of sending the recipient more than just a greeting, the invention provides the method of linking greeting cards to promotions.

It is a method of generating extra greeting card sales, it is not any sort of free give away card for the purposes of advertising and marketing.

This information is respectfully submitted by applicant:

Yours sincerely



Miss Laaong Silaprom